

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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THE HOUSING AUTHORITY OF THE
TE-MOAK TRIBE OF WESTERN
SHOSHONE INDIANS,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
HOUSING AND URBAN DEVELOPMENT;
et al.,

Defendants.

3:08-CV-0626-LRH-VPC

ORDER

Before the court is the parties' joint motion to alter or amend judgment. Doc. #47.

On March 28, 2016, the court issued a judgment in this matter in favor of plaintiff the Housing Authority of the Te-Moak Tribe of Western Shoshone Indians ("Te-Moak Housing Authority") and against defendants United States Department of Housing and Urban Development ("HUD"); Julian Castro, Secretary of HUD; and Jemine Bryon, General Deputy Assistant Secretary for the Office of Public and Indian Housing, in the amount of \$769,645.00 in recaptured funds. *See* Doc. #46. The parties now contend that the amount of the original judgment was in error and that only \$119,182.00 was actually recaptured from the Te-Moak Housing Authority. *See* Doc. #47. The court has reviewed the parties' joint motion to amend and finds that good cause exists to issue an amended judgment in this action.

1 IT IS THEREFORE ORDERED the parties' joint motion to alter of amend judgment
2 (Doc. #47) is GRANTED.

3 IT IS FURTHER ORDERED that the clerk of court shall enter an AMENDED
4 JUDGMENT in favor of plaintiff the Housing Authority of the Te-Moak Tribe of Western
5 Shoshone Indians and against defendants United States Department of Housing and Urban
6 Development ("HUD"); Julian Castro, Secretary of HUD; and Jemine Bryon, General Deputy
7 Assistant Secretary for the Office of Public and Indian Housing, in this action.

8 IT IS FURTHER ORDERED that defendants shall restore to plaintiff the amended amount
9 of \$119,182.00, for Indian Housing Block Grant funds. Any such restoration shall be in addition to
10 the full Indian Housing Block Grant allocation that would otherwise be due to the plaintiff under
11 the Native American Housing Assistance and Self-Determination ACT in a given fiscal year as
12 calculated without application of the amount of the judgment.

13 IT IS FURTHER ORDERED that defendants shall make restoration of the IHBG funds
14 from all available sources, including, but not limited to, Indian Housing Block Grant funds carried
15 forward from previous grant years and Indian Housing Block Grant funds appropriated in future
16 grant years.

17 IT IS FURTHER ORDERED that the restoration of funds to plaintiff shall be completed as
18 soon as administratively feasible, but in no event later than twenty-four (24) months from the date
19 of judgment.

20 IT IS SO ORDERED.

21 DATED this 27th day of April, 2016.

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23 LARRY R. HICKS
24 UNITED STATES DISTRICT JUDGE
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